

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON M. MALIK, Plaintiff, vs. D&W AWNING & WINDOW CO., et al., Defendants.	1:22-CV-10664-TGB-PTM ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING AS MOOT DEFENDANTS MULLER, MULLER, RICHMOND & HARMS, P.C., AND MICHAEL S. MULLER’S MOTION TO DISMISS (ECF NO. 15)
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This matter is before the Court on Magistrate Judge Patricia T. Morris’s August 1, 2022 Report and Recommendation (“R&R”) recommending that Defendants Muller, Muller, Richmond & Harms, P.C., and Michael S. Muller’s (together, “the Muller Defendants”) motion to dismiss be denied as moot. ECF No. 35.

The Court has reviewed the Magistrate Judge’s R&R and finds that it is well-reasoned and supported by the applicable law. The law provides that either party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of the report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a “de novo determination of those portions of the report . . . to which objection is made.” *Id.*

Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149–52 (1985). The Court will, therefore, accept the Magistrate Judge’s Report and Recommendation of August 1, 2022 as this Court’s findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Morris’s Report and Recommendation (ECF No. 35) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that the Muller Defendants’ Motion to Dismiss (ECF No. 15) is **DENIED AS MOOT**.

IT IS SO ORDERED.

Dated: October 25, 2022 s/Terrence G. Berg

TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE